

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

JEFFERY WAYNE HAITHCOTE,

*Plaintiff,*

v.

JERRY JOHNSON,

*Defendant.*

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Case No. 1:21-CV-004

Judge Travis R. McDonough

Magistrate Judge Susan K. Lee

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**JUDGMENT ORDER**

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For the reasons set forth in the memorandum opinion filed herewith, Plaintiff's motion for discovery (Doc. 16) is **DENIED as moot**, Defendant Johnson's motion for summary judgment (Doc. 17) is **GRANTED**, and this action is **DISMISSED without prejudice**. Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this dismissal would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

**SO ORDERED.**

/s/ Travis R. McDonough

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
s/ LeAnna R. Wilson  
CLERK OF COURT